

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Council Meeting

October 28, 2019

- Call to Order:** Ms. Nichols-Rhodes at 6:30 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Gorbach, present; Mr. Iona, absent; Mr. Iula, absent; Mr. James, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mr. Pallotta, absent; Ms. Penta, present; Mrs. Pyke, absent; Mr. Reilly, present.
- Invocation:** Mr. Brillhart
- Pledge of Allegiance:** Ms. Penta
- Approval of Minutes:** The minutes of the September 23, 2019, October 14, 2019 and October 21, 2019 Council meetings were approved as written.
- Reports and Communications:** None

Mr. Iona, Mr. Iula, Mr. Pallotta and Mrs. Pyke entered Council Chambers at 6:32 p.m. after Roll Call and were present for the remainder of the Council Meeting.

New Legislation
(First Reading)

Temp. Ord. B-79 (Finance)

An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2020, and declaring an emergency.

Temp. Ord. B-80 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract for employment agency services related to seasonal and occasional employees, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

Temp. Ord. B-71

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts for the purchase of play equipment to be installed at Dewitt and Price Elementary Schools, and declaring an emergency.

Mr. Gorbach moved to amend Temp. Ord. B-71, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. B-71 (Sub. Dated 10-28-19)

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts for the purchase of play equipment to be installed at Dewitt and Price Elementary Schools and Kennedy and Oak Parks, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-71 (Sub. Dated 10-28-19), second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. B-72

An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with Medical Mutual of Ohio for the City's group life insurance for employees and retirees, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-72, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. B-73

An ordinance authorizing the Mayor to enter into an amendment to the License Agreement with SprintCom, Inc. for the use of a portion of City property for the installation of telecommunications equipment, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-73, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Res. B-77

A resolution amending Resolution 3-2019 accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community Reinvestment Area Tax Exemption Agreements within the City of Cuyahoga Falls, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Res. B-77, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. B-78

An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for the purchase of certain property known as 1704 Front Street (Parcel 02-04691); increasing appropriations in the CDBG. fund, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-78, second by Mr. James. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

No Report.

Public Affairs:

Temp. Ord. B-74

An ordinance amending Section 129.05 of the Codified Ordinances, relating to Special Police, and declaring an emergency.

Mr. Reilly moved to adopt Temp. Ord. B-74, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. B-75

An ordinance amending Section 565.04 (a) (17) of the Codified Ordinances, relating to Park Rules and Regulations, and declaring an emergency.

Mr. Reilly moved to adopt Temp. Ord. B-75, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Temp. Res. B-76

A resolution expressing support for and urging the passage of Issue 14, the County of Summit Alcohol, Drug Addiction and Mental Health Services (ADM) Board renewal levy at the general election to be held on November 5, 2019, and declaring an emergency.

Mr. Reilly moved to adopt Temp. Res. B-76, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Community Development:

No Report.

Schedule of Committee Meetings

Planning & Zoning:	November 4, 2019, 6:35 p.m.
Finance:	November 4, 2019, 6:40 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.

Miscellaneous Business

Mr. Pyke apologized for their tardiness, and asked that the record reflect that they were present for today's meeting. She also asked that the clock in the caucus room be fixed.

Mrs. Pyke asked if someone driving down Chestnut Boulevard was throwing things out of their car, should the police cite them for littering. Mr. Balthis stated that if someone is littering, then the police have the ability to cite them if they deem it's appropriate. Mrs. Pyke asked that a letter be sent to the Falls News Press that that action needs to cease, and also asked if someone would pick the newspapers off of her devil strip. Mr. Balthis stated that he would discuss it with them.

Mr. Bryan Hoffman, Finance Director stated that under the General Fund, Admissions Tax, tax dollars seem to be down. Blossom Music Center had most of their acts in August and September this year. They did receive the August payment in October, so it is not reflected in the report. At the end of year, they anticipate the total being a little less than the budgetary number due to the total number of acts. Blossom Music Center had about 21 performances this year. They have averaged about 28 over the past several years, so there was a little bit of the hit on that revenue. Interest income has been steady throughout the year. The Federal Reserve decreased the short-term interest rates, which had a small impact, but they are still projecting they will hit that million-dollar number this year.

Mr. Hoffman stated that, on the Local Government side, they did \$41,024 this year, which was not anticipated when the budget was done last year. The State had put that line item back in their budget, so they have been receiving dollars there. Municipal Income Tax is still down a little over \$1 million this year. That is anticipated to come up by the end of the year. September was down as far as money coming in, but it was made up in October, as reflected in that month's report. They have been working with RITA diligently looking at revenues coming in both on total number of returns filed, the amount coming in on W-2 income, property income and individual income. Although it's been a little slower than anticipated, RITA has done a good job identifying delinquent taxpayers. They are still working through previous years. They have identified about \$1.3 million in delinquent taxes that they are starting to pursue and collect both on the individual side, which is about \$900,000; the W-2 side, which is about \$200,000 and the net profit, which has been about \$200,000. They will see that moving forward and reflected in the 2020 budget. In the SCMR Fund, additional gas tax revenue has started coming in in September and continued throughout this year. It will be that reflected in the 2020 budget, as well. In the Leisure Time Fund, the Natatorium, Brookledge, Downview and Waterworks are all up. The Natatorium is up \$13,000,

which is still considered flat. Brookledge is up \$17,000 over last year. Downview is up \$20,408. Their last year was up well above the year before. Waterworks Park is doing well.

Mr. Hoffman stated that, on the Expenses side, in the Self-Insurance Fund, Hospitalization and Dental is up by \$405,000 and Prescription Drugs is down, net impact with rebates coming in, about \$176,411. At budget time, they anticipated a 9-percent increase in the overall cost in that fund, and, through September, there has been a 7.2 percent increase in total cost, so it is right within budget and right where they anticipated it coming in through September.

Mr. Reilly asked if they are collecting delinquencies through the Law Department, or if RITA will do all of that. Mr. Hoffman stated that they haven't made the final decision on that. They are leaning toward RITA handling those cases, because of cost and time involved. The Law Department has done some of that work in the past, but RITA represents so many municipalities in the community and around the area that they have certain days where they're able to schedule them all in one day with the municipalities, which saves the City money. Mr. Reilly stated that he would definitely use RITA.

Mrs. Pyke asked if, at the very end of the form where it says, "Unencumbered Balance, December 31st," should it say December 31st, since they are looking at that fund at 9/30. They would be looking at the actuals for 2016, 2017 and 2018. Mr. Hoffman stated that, because they had those actuals the previous years, the unencumbered balances are those in those previous years. They could look to make a little bit of a change in how they represent those last two columns. Mrs. Pyke asked if they received future funds in Municipal Income Tax last year. Mr. Hoffman stated that they did not. They received what was coming in, because there was a timing issue with January coming in. Mrs. Pyke stated that she knows that they are looking at how they could recoup some of that money, and asked if September should still match September or be close to it. Mr. Hoffman stated no. In the January report, there was nothing shown coming in. What happens with RITA is they would have collected those dollars, and they would have been deposited in February rather than January, which offsets it by about a month.

Mrs. Pyke stated that, as of right now, in the General Fund for Unencumbered Funds, they are at \$8.6 million and, last year, at the same time, they were at \$11.7 million. Mr. Hoffman stated that is correct. Mrs. Pyke stated that she would encourage everyone to go through each fund and look at that final line of Unencumbered Funds since they will be doing the budget.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:55 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council